

### **REMARKS**

Favorable reconsideration and allowance of the present application are respectfully requested. Claims 7-12 are pending in the present application, with claims 7 and 10 being independent.

#### **Claim Rejections under 35 USC § 102**

Claims 7-12 are rejected under 35 USC § 102(e) as being anticipated by Mukai et al. (US Patent Publication No. 2002/0173332; hereinafter "Mukai"). This rejection are respectfully traversed.

Mukai discloses an optical communication system for realizing dynamic up-link bandwidth allocation in which a plurality of subscriber devices with mutually different device configurations are connected to a station unit. The station unit is configured to consider device configurations of the subscriber devices in performing up-link bandwidth allocation (see Abstract, Mukai).

The Examiner asserts that Mukai teaches each and every feature of the present invention as recited in independent claim 7. Applicant respectfully disagrees. First, Mukai does not disclose a database configured to store subscriber recognition information and service details in association with a subscriber as in the present invention. Instead, Mukai is directed to a configuration information collection (44) which receives configuration information of a transmitting device. The system of Mukai then selects a method of bandwidth allocation to up-link signals taking into account the configuration information received. However, the configuration information of a device is not subscriber recognition information as asserted by the Examiner. Thus, Mukai does not teach "a database configured to store subscriber recognition information and service details in association with a subscriber" as recited in claim 7.

In addition, the present invention provides an issuing unit that issues a control message to request the new optical network unit to provide subscriber recognition information and acquires the subscriber recognition information. On the other hand, Mukai discloses a bandwidth control unit (46) which selects a method of bandwidth allocation to up-link signals taking into account the configuration information of a transmitting device. Thus, Mukai does not teach "an issuing

unit that, upon detecting a connection with a new optical network unit while performing autonomous ranging, issues a control message to request the new optical network unit to provide subscriber recognition information, and acquires the subscriber recognition information” as recited in claim 7.

Furthermore, Mukai does not teach a setting unit that, based on acquired subscriber recognition information, searches the database and specifies the subscriber and the service details, and performs bandwidth setting and connection setting based on specified service details as in claim 7. Instead, Mukai is directed to a system which selects a method of bandwidth allocation to up-link signals taking into account the configuration information of a transmitting device. Thus, Mukai does not teach “a setting unit that, based on acquired subscriber recognition information, searches the database and specifies the subscriber and the service details, and performs bandwidth setting and connection setting based on specified service details” as recited in claim 7.

The Examiner further asserts that Mukai, in paragraphs 0064 and 0065 and Figure 1, element 58, discloses a storing unit that stores subscriber recognition information input by a subscriber and a notifying unit that receives, from the optical line termination, a control message requesting for the subscriber recognition information, and issues a response message that notifies the subscriber recognition information. Contrary to the assertion by the Examiner, the cited portion of Mukai discloses a configuration information provision unit (58) for transmitting the configuration information of a subscriber device to a station unit upon receiving a request. However, as discussed above, the configuration information is not subscriber recognition information as asserted by the Examiner. Thus, Mukai does not teach “a storing unit that stores subscriber recognition information input by a subscriber; and a notifying unit that receives, from the optical line termination, a control message requesting for the subscriber recognition information, and issues a response message that notifies the subscriber recognition information” as recited in claim 7.

Independent claim 10 is directed to a method for connecting a plurality of optical network units included in a passive optical network system to an optical line termination via an optical transmission line. The method as recited in claim 10 comprises:

- the optical line termination preparing a database that is configured to store subscriber recognition information and service details in association with a subscriber;
- the optical line termination detecting a connection with a new optical network unit while performing autonomous ranging;
- the optical line termination issuing a control message to request the new optical network unit to provide subscriber recognition information, wherein the act of issuing is performed after the act of detecting;
- each of the optical network units storing subscriber recognition information input by a subscriber;
- each of the optical network units receiving from the optical line termination, a control message requesting for the subscriber recognition information;
- each of the optical network units issuing a response message including the subscriber recognition information;
- the optical line termination searching the database based on acquired subscriber recognition information to thereby specify the subscriber and the service details; and
- the optical line termination performing bandwidth setting and connection setting based on specified service details.

It is demonstrated above that these features are not disclosed by Mukai. Thus, independent claim 10 is distinguishable from Mukai for at least the reasons discussed above with respect to independent claim 7.

In view of the above remarks, it is respectfully submitted that Mukai does not anticipate independent claims 7 and 10. As claims 8, 9, 11 and 12 are dependent from claims 7 and 10 respectively, it is respectfully submitted that these claims are also patentable for at least the same reasons discussed above with respect to claims 7 and 10. Thus, it is further respectfully submitted that these rejections be withdrawn.

**Conclusion**

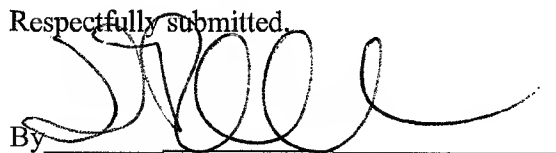
In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Dennis P. Chen, Reg. No. 67,767, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: December 18, 2008

Respectfully submitted,



By \_\_\_\_\_  
D. Richard Anderson

Registration No.: 40,439

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant